

EXHIBIT 2

**DERREVERE, HAWKES
BLACK**

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June 25, 2008

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Sent Via Email Only

Tino X. Do, Esquire
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Re: Fireman's Fund Insurance Company v. Gerling America Insurance Company
Our File No.: 12109

Dear Tino:

Please let this correspondence acknowledge receipt of your June 24, 2008 correspondence regarding FFIC's pending Motion to Compel. You have indicated that "FFIC's main argument to compel is that Gerling has asserted exhaustion of policy limit as an Affirmative Defense." While it is true that FFIC has pointed out the inconsistencies between the positions taken by Gerling including the exhaustion assertion contained Affirmative Defense # 13, the main reason that FFIC has compelled production of documents relating to payments is twofold: first, that information is necessary for an evaluation of the prospects for settlement and Gerling is required to provide same pursuant to F.S. § 627.4137; second, FFIC is entitled to determine what claims have been asserted against Gencor that have been accepted for payment by Gerling and what claims have been rejected for payment by Gerling.

Based upon the foregoing, FFIC will not withdraw the Motion to Compel as to available policy limits and documentation maintained by Gerling that relates thereto regardless of whether the exhaustion Affirmative Defense (which now appears to have been frivolously asserted in the first place) is withdrawn. To the extent that you believe it is appropriate to do so, FFIC would suggest that Gerling should file a Motion for Leave to Withdraw the Affirmative Defense explaining why the exhaustion Affirmative Defense was raised in the first instance and we will make sure the Court understands that from FFIC's view, the Motion to Compel is unaffected one way or the other.

Very truly yours,

JON D. DERREVERE

JDD/dm